

810 KAR 1:024. Racing Commission.

RELATES TO: KRS 230.210 et seq.

STATUTORY AUTHORITY: KRS 230.240

NECESSITY, FUNCTION, AND CONFORMITY: To regulate conditions under which racing shall be conducted in Kentucky. The function of this administrative regulation is to outline the positions and duties of the commission.

Section 1. The administrative staff of the commission may be composed of the following positions:

- (1) Senior steward in overall supervision of all commission matters pertaining to racing;
- (2) State steward, responsible for all commission matters at the race meetings to which he is assigned and for other duties as may be directed;
- (3) Associate steward, who may be assigned by the commission to serve under the state steward as they may direct; and
- (4) Public relations director, responsible for the promotion of the thoroughbred industry in Kentucky.

Section 2. Commission License Administrator. (1) The commission may employ a person who shall be responsible for:

- (a) Processing license applications of all persons, other than associations, required to be licensed by 810 KAR 1:025; and
- (b) Collecting fees;
- (2) License applications received by the license administrator shall be subject to approval by the:
 - (a) Licensing committee; and
 - (b) Commission.
- (3) The licensing administrator or his assistants shall:
 - (a) Be present on association grounds prior to the opening of a race meeting to accept license applications;
 - (b) Maintain an office on association grounds to accept license applications during the race meeting;
 - (c) File daily reports to the commission to include:
 1. A list of license applications;
 2. An accounting of fees received; and
 - (d) Forward all fees to the commission.
 - (e) Be responsible for the photographing of license applicants for whom same is required; and
 - (f) Be bonded.

Section 3. Commission Supervisor of Pari-mutuel Betting. (1) The commission shall employ or designate a supervisor, with accounting experience, who shall be responsible for:

- (a) Certifying that the proper amounts have been paid from pari-mutuel pools to the:
 1. Betting public;
 2. Association; and
 3. Commonwealth.
- (b) Filing with the commission:
 1. Verified reports accounting for daily pari-mutuel handle distribution;
 2. Attendance for each preceding racing day; and
 3. A final report at the conclusion of each race meeting.
- (2) Daily race reports to the commission shall provide the:

- (a) Number of horses started;
- (b) Number of betting interests;
- (c) Total money wagered in each betting pool;
- (d) Sum of all betting pools;
- (e) Total refunds;
- (f) Total pari-mutuel handle for the comparable racing day for the preceding year;
- (g) Cumulative total and daily average pari-mutuel handle for the race meeting;
- (h) Amount of state pari-mutuel tax due;
- (i) Taxable, tax exempt, and total admissions;
- (j) Temperature, weather and track conditions;
- (k) Post time of first race;
- (l) Program purses;
- (m) Distance and conditions of each race; and
- (n) Any minus pools resulting, with explanation.

(3) The commission supervisor of pari-mutuel betting shall submit to the commission on or before thirty (30) days after the close of each race meeting a final verified report giving in summary form a recapitulation of the daily reports for each race meeting and other information as the commission may require.

(4) The commission supervisor of pari-mutuel betting or his representative shall have access to all association books, records, and pari-mutuel equipment.

Section 4. Commission Veterinarian. The commission shall employ a graduate veterinarian licensed in Kentucky and experienced in equine medicine and practice.

(1) The commission veterinarian shall:

- (a) Advise the commission and the stewards on all equine veterinary matters;
- (b) Supervise and control the detention area;
- (c) Collect samples for the testing of horses for prohibited medication as outlined in 810 KAR 1:018;

(d) Inspect and report all horses entered for racing soundness;

(e) Maintain and post in the racing secretary's office a veterinary list of horses ineligible to race because of sickness or unsoundness;

(f) Be responsible for:

- 1. The control of communicable equine diseases;
- 2. Insect control; and
- 3. Sanitary conditions in the stable area;

(g) Observe and report all cruel or inhumane treatment of horses to the stewards;

(h) Be attendant on the stewards and the racing secretary at scratch time each day;

(i) Examine horses as racing officials may request;

(j) Make prompt reports to the racing officials;

(k) Be present in the paddock for saddling;

(l) Inspect the horses for:

- 1. Physical fitness;
- 2. General conditions; and
- 3. Any unsoundness;

(m) Accompany each field to the starting gate;

(n) Observe all horses after the finish of each field.

(2) The commission veterinarian shall have the authority to determine that:

(a) A horse has suffered an injury:

- 1. While in the paddock;

2. During the post parade; or

3. At the starting gate; and

(b) A horse is unfit to race and shall recommend to the stewards that the horse be excused and placed on the veterinary list.

(3) All horses requested to be scratched for physical reasons after scratch time shall be inspected by a commission veterinarian, who shall report the condition of the horse to the stewards.

(4) Except as provided in 811 KAR 1:090, Section 13(1), the commission veterinarian shall not:

(a) Treat, prescribe, or sell any drug supplies for any horse registered to race at any race track where he is employed, except in case of emergency;

(b) Buy or sell, for himself or another, any horse under his supervision;

(c) Be employed by or receive any compensation whether directly or indirectly from any licensed owner or trainer;

(d) Wager on a race under his supervision;

(e) Sell insurance;

(f) Be licensed to participate in racing in any other capacity.

Section 5. Commission Chemist. (1) The commission may acquire, operate and maintain a testing laboratory and related facilities, for the purpose of performing tests as the commission may require.

(2) The commission may employ a graduate chemist experienced in chemical testing techniques.

(3) The chemist shall:

(a) Conduct thoroughbred tests on:

1. Urine;

2. Blood; and

3. Other specimens.

(b) Report to the state steward all abnormal or prohibited substances found in a horse as listed in 810 KAR 1:018.

(4) The chemist shall not be responsible for a determination of the chemical effects on the physiology of a horse.

Section 6. Chief Investigative Officer. (1) The commission may employ an investigator experienced in investigatory and security matters who shall advise the commission.

(2) The investigative officer shall:

(a) Perform background checks:

1. On any person on association grounds; or

2. Any license applicants, if:

a. He determines that a person's conduct or reputation:

(i) Reflects on the honesty and integrity of thoroughbred racing; or

(ii) Interferes with the orderly conduct of thoroughbred racing;

(b) Maintain a current file:

1. On persons against whom:

a. Racing jurisdiction rulings have been issued; and

b. Reported through the Association of Racing Commissioners International;

2. Of reports from investigations, arrest records, and other information compiled by:

a. The U.S. Trotting Association; and

b. Thoroughbred Racing Protective Bureau;

3. Of ejections or exclusions from association grounds in Kentucky and other racing jurisdictions;

(c) Investigate and ascertain the truth of statements made on license applications;

(d) Investigate possible infractions of racing administrative regulations at the request of the com-

mission or stewards;

(e) Participate and cooperate on all investigations with members of the:

1. Track security police;
2. Thoroughbred Racing Protective Bureau; and
3. State and local police.

Section 7. Commission Inspector. The commission may employ a person or persons who shall be responsible for ascertaining that all persons required to be licensed under 810 KAR 1:003 have the required license in their possession on association grounds, and for conducting investigations on association grounds at the request of the stewards or the director of security.

Section 8. Horse Identifier. (1) The commission may employ a horse identifier who shall be responsible for the proper identification of all horses entered to be raced.

(2) The horse identifier may accompany the commission veterinarian on the prerace examination of all starters.

(3) The horse identifier shall:

(a) Certify that each starter in the paddock matches its registration certificate by examining the horse's:

1. Sex, age, color, markings, and lip tattoo; and
2. Photograph as an aid in identification;

(b) Notify the paddock judge and the stewards if he has any doubt as to the identity of a horse entered to be raced;

(c) Be responsible for the safekeeping and return to owners at the conclusion of the race the following:

1. Registration certificates;
2. Racing permits for horses; and

(d) Record information from registration certificates and racing permits.

Section 9. Investigative Powers. To ensure compliance with these administrative regulations or to investigate possible infraction of these administrative regulations, the commission and its representatives shall have free access to all offices, files, records, enclosures, property and facilities owned or possessed by associations or located on association grounds.

Section 10. Publication of Administrative Regulation Changes. All administrative regulations adopted, revised or repealed shall be promulgated pursuant to KRS Chapter 13A. (18 Ky.R. 3280; Am. 19 Ky.R. 398; eff. 8-1-92.)